

CITY COUNCIL MEETING

November 12, 2014

7:00 p.m.

After the study session, the Mayor called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Stange, Bixby, Hoppe, Kuhns, Johnson, Eairleywine, Navarrette and Anderson present – 8 present, 0 absent.

Moved by Council Member Kuhns, seconded by Council Member Navarrette to approve the consent agenda. Roll call vote: 8 ayes. Motion carried.

- Dispense with reading of and approve October 28, 2014 minutes
- October 29 – November 12, 2014 claims
- Resolution No. 2014-220 approving Special Designated Permit application of Fire Barn Sports Bar & Grill, 925 North Broad, November 22, 2014, reception; Rise's Drive-In Liquor, 1710 West 16th, March 21, 2015, August 29, 2015, October 10, 2015, receptions; DeSauce Developments, 1005 East 23rd, December 2, 2014, reception; Jack Barta, 545 East 4th, November 21, 2014, fund raiser
- Resolution No. 2014-221 assessing nuisance lien against Lot 4, Block 1, Kittle Comp; 725 E Military - owner: Bank of New York Mellon
- Resolution No. 2014-222 assessing nuisance lien against Lot 4, Block 3, Phelps; 1233 E 18th - owner: Steve and Cindy Kelsey
- Resolution No. 2014-223 approving interlocal agreement with Douglas County for forensic services
- Cement applications: Kimberly Remmereid & TR Construction and Jeremy Prunty & Bronte Enterprise LLC
- Jim Bradrick request for outside City sewer connection for a fee of \$2970.00 and water connection for a fee of \$1000.00 at 3202 County Road 20th Ave
- Report of the Treasury
- Draft financial statements for September 2014
- Tort claim of Alisa DeLuna at 401 West 23rd
- Resolution No. 2014-224 approving consumption of alcohol on City property for Moriah Nygren, City Auditorium, October 17, 2015
- Grant application for Police Department to Wal-mart for purchase of equipment
- Resolution No. 2014-225 to accept \$7000.00 grant from Nebraska Department of Roads Highway Safety for in car cameras

Moved by Council Member Anderson, seconded by Council Member Eairleywine to approve the recommendation of the Civil Service Commission and the Mayor to appoint Andrew Dixson, Kelly Drake and Steven Zaroban as Police Officers. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Hoppe to continue the request of Susan McDermott to replat Lots 1 and 2, Block 30, Chases Addition into two lots to December 30, 2014 City Council meeting. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the second reading, by title only, of an Ordinance amending Fremont Municipal Code 6-406 relating to criminal trespass. The third reading will be at the next regular Council meeting.

Moved by Council Member Bixby, seconded by Council Member Johnson to approve a \$13,000 budget adjustment from General Fund Contingency appropriation to Downtown Improvement District Special Revenue Fund appropriation. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Navarrette, seconded by Council Member Hoppe to receive and file the prefinal draft of the Terminal Area Plan Update Study dated October 2014 and direct ADG to incorporate all comments received from the City Council, Public, Airport Advisory Board, and the Nebraska Department of Transportation and Aeronautics into the Final Draft and approve Alternate(s) #3; #2; and #1 as the preferred final location/s of the terminal site and forward the recommendation to the Nebraska Department of Transportation and Aeronautics. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Hoppe, seconded by Council Member Anderson to approve Resolution No. 2014-226 approving Supplemental Agreement #2 with Felsburg, Holt & Ullevig for 1st Street, Luther Road to Johnson Road Project. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Kuhns, seconded by Council Member Anderson to approve Resolution No. 2014-227 approving covenant agreement with City of North Bend, Dodge County and Village of Rogers for the planning and design of Highway 30 expressway from Schuyler to Fremont. Roll call vote: 8 ayes. Motion carried.

The Mayor announced the Executive Session for threatened litigation would be to discuss the lease with the Humane Society.

Moved by Council Member Bixby, seconded by Council Member Navarrette to go into executive session for the purpose of discussing a strategy with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Mayor stated a motion has been made and seconded to go into executive session for the purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Mayor asked for any discussion.

The Mayor stated the pending motion was to go into executive session for the purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. Roll call vote: 7 ayes, 1 abstain (Stange). Motion carried.

The Mayor stated a motion to go into executive session for the purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. He further stated that discussion would be limited to a strategy session with respect to threatened litigation. No official actions or votes would be taken during the executive session. Executive session began at 7:16 p.m.

Council Member Stange left the meeting.

Moved by Council Member Kuhns, seconded by Council Member Hoppe to come out of executive session. Roll call vote: 7 ayes. Executive session ended at 7:48 p.m.

The Mayor announced the next meeting would be November 25, 2014 at 7:00 p.m. with a study session November 18, 2014 at 5:30 p.m.

Moved by Council Member Hoppe, seconded by Council Member Anderson to adjourn the meeting. Roll call vote: 7 ayes. Motion carried. Meeting adjourned at 7:49 p.m.

I, Kimberly Volk, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kimberly Volk, MMC, City Clerk